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SENATE BILL 827

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO GEOTHERMAL RESOURCES; ENACTING A NEW SECTION OF THE  
GEOTHERMAL RESOURCES CONSERVATION ACT TO PROVIDE THAT CERTAIN  
USES OF POTABLE WATER ARE NOT USES OF GEOTHERMAL RESOURCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 71-5-1 NMSA 1978 (being Laws 1975,  
Chapter 272, Section 1) is amended to read:

"71-5-1. SHORT TITLE. -- [~~This act~~] Chapter 71, Article 5  
NMSA 1978 may be cited as the "Geothermal Resources  
Conservation Act". "

Section 2. A new section of the Geothermal Resources  
Conservation Act is enacted to read:

"[NEW MATERIAL] EXCLUSION-- INCIDENTAL LOSS OR EXTRACTION  
OF HEAT. -- When the application of potable water to a beneficial  
use involves the loss or extraction of heat, and the loss or

underscored material = new  
[bracketed material] = delete

1 extraction of heat is incidental to the otherwise unrelated  
2 beneficial use, then that heat is not a geothermal resource for  
3 which a royalty is due. In such a case, the use is not  
4 governed by laws related to geothermal resources but is simply  
5 governed by Chapter 72 NMSA 1978. "

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